

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

JOSE LUIS ALVAREZ-GOMEZ,	)	
ID # 47850-177,	)	
Movant,	)	No. 3:17-CV-2560-B (BH)
vs.	)	No. 3:14-CR-037-B (1)
	)	
UNITED STATES OF AMERICA,	)	
Respondent.	)	Referred to U.S. Magistrate Judge

RECOMMENDATION REGARDING REQUEST TO PROCEED  
IN FORMA PAUPERIS ON APPEAL

By 28 U.S.C. § 636(b) and *Amended Miscellaneous Order No. 6* (adopted by *Special Order No. 2-59* on May 5, 2005), requests to proceed *in forma pauperis* are automatically referred.

Before the Court is movant's motion to proceed *in forma pauperis* on appeal, received January 10, 2018 (doc. 12).

- (X) The motion for leave to proceed *in forma pauperis* on appeal should be DENIED for the following reasons:
- (X) Movant is not a pauper. The Certificate of Inmate Trust Account shows that Movant has a current balance of \$2,900 and an average monthly balance of \$1,809. Movant has not shown that he has any demands on his financial resources or that he would suffer deprivation of the necessities of life if he pays the \$505.00 appellate filing fee. *See Crider v. Scott*, 50 F.3d 1033, 1033 (5th Cir. 1995) (per curiam).

If the Court denies the request to proceed *in forma pauperis* on appeal, Movant may challenge the denial by filing a separate motion to proceed *in forma pauperis* on appeal with the Clerk of Court, U.S. Court of Appeals for the Fifth Circuit, within thirty days after service of the notice required by Fed. R. App. P. 24(a)(4). *See* Fed. R. App. P. 24(a)(5).

SIGNED this 11th day of January, 2018.

  
IRMA CARRILLO RAMIREZ  
UNITED STATES MAGISTRATE JUDGE